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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/626,716

07/25/2003

Kil-Soo Jung

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EXAMINER

RUTLEDGE, AMELIA L

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

07/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/626,716

Applicant(s)

JUNG ET AL.

Examiner

Amelia Rutledge

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-25 and 52-67.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). 6/20/07
13. ☒ Other: See Continuation Sheet.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

AR

Continuation of 3. NOTE:

Applicant's proposed amendments to claim 1 will not be entered because the amendments to claim 1 incorporate the limitations of dependent claims 4 and 5, and the proposed amendments to claim 1 may pose possible conflicts with respect to other dependent claims based on the new limitations. For example, the limitations of claim 5 recite, in part, that the cookie information is stored in one of the non-volatile data storage portion and the volatile data storage portion of the data storage unit, and since some claims depending from claim 1 recite the "deletion" of cookies (Claim 12 for example), a possible new issue is raised as to what is being deleted based on whether the data storage portion is volatile or non-volatile. This example of possible conflicts with dependent claims is not meant to be exhaustive.

The proposed amendments to independent claim 67 contain newly claimed limitations added from dependent claims 4 and 5 which did not previously depend from claim 67, thus the proposed amendments change the scope of the claim and would require further consideration.

Continuation of 11.

Applicant's arguments filed 07/02/2007 have been fully considered but they are not persuasive.

In response to applicant's remarks (Remarks, p. 13) regarding the citations of the Lamkin reference from the previous office action mailed 04/30/2007, applicant is apparently requesting additional citations of Lamkin not relied upon for the claim rejections, i.e., citations of the figures. Applicant may review the portions of Lamkin which have been cited and relied upon for the claim rejections, as well as the Lamkin reference in its entirety.

In response to applicant's arguments regarding the rejections of claim 1 (Remarks, p. 13-19), applicant's arguments regarding Lamkin's teaching of a data storage unit (Remarks, p. 14-15) are based on an incomplete analysis of the cited portions of Lamkin, which disclose an interactive digital content reproducing apparatus in the form of an embedded browser coupled to a DVD storage unit, which reproduces interactive digital content from a storage medium, which comprises AV data and a markup document used for AV reproduction (p. 6 par. 108-p. 7, par. 130, especially par. 129-130).

Applicant argues that the type of interactive content disclosed by Lamkin is different from the invention because Lamkin displays the same interactive content, and applicant argues that the instant invention displays different interactive content (Remarks, p. 15-17). In response to applicant's argument that the references fail to show certain features of applicant's invention it is noted that the features upon which applicant relies (i.e., displaying different interactive) are not recited in the rejected claim(s). The cited portion of Lamkin does teach the limitation, transferring of information and sharing of system parameters...between different markup documents. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's arguments regarding the limitations of dependent claims 4 and 5 now incorporated into claim 1 (Remarks, p. 17-20), Lamkin does teach storing cookie information in the data storage unit since Lamkin teaches storing cookie information in the embedded web browser which is part of the data storage unit (par. 129). Lamkin teaches a data storage unit in an interactive digital content reproducing apparatus in the form of an embedded browser coupled to a DVD storage unit, which reproduces interactive digital content from a storage medium, which comprises AV data and a markup document used for AV reproduction (p. 6 par. 108-p. 7, par. 130, especially par. 129-130).

In response to applicant's arguments regarding the limitations of claims 7, 11, 12, 24, 25, 61, 62, 65, and 66 (Remarks, p. 20-23), applicant argues that the rejection of dependent claim 7 is incomplete (Remarks, p. 22). Yet, applicant admits that all of claims 7, 11, 12, 24, and 25, contain the limitation, "the presentation engine searches the data storage unit for at least one cookie information item..." and each and every dependent claim was identified and rejected in the office action, and applicant does not argue the completeness of the rejections of claims 11, 12, 24, and 25. Further, applicant cites the rejection of dependent claims 11 and 12 which address the same limitation (Remarks, p. 23).

Applicant did not present any arguments in regard to the completeness of the rejection of dependent claim 7 in response to the office action mailed 11/09/2006 which contained the same rejection. However, applicant's arguments regarding the completeness of the rejection are incorrect. The rejection of claim 7 was complete, because the cited portions of Lamkin (par. 205-206) do disclose searching the data storage unit for cookie information with the same content identification information and reading the cookie information, because Lamkin teaches storing a cookie for later reference by the storing website, i.e., searching and reading the cookie information, and Lamkin teaches using a cookie with a unique ID (par. 213).

In response to applicant's arguments requesting evidence to support the assertion that JavaScript contains program commands to match cookie information items and delete cookies (Remarks, p. 23), the reference "JavaScript: The Definitive Guide", 4th Ed., by David Flanagan, published November 2001, p. 1-12 is provided, which includes chapter 16, "Scripting Cookies". The JavaScript reference also describes in detail methods of setting the cookie path (see Remarks, p. 24).

For these reasons, and the reasons of record, all of the claim rejections should be maintained.

Continuation of 13.

Other:

Applicant has requested consideration of the IDS filed 04/28/2006 (Remarks, p. 11, par. 2), however, the IDS filed on 04/28/2006 was already considered and signed on 8/17/06 and was mailed on 8/21/06.

The information disclosure statement filed 06/20/2007 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance for Reference "AJ", as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each reference listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered..

William L. Bashore
WILLIAM BASHORE
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